



**State Senator • 23rd District**

**Gretchen  
Whitmer**



## **News from Your State Capitol**

*Dear Friend,*

*I am honored to serve on your behalf in the Michigan Senate. Your continued support is sincerely appreciated.*

*The past year has been a difficult one for Michigan. I remain committed to fixing what's broken in state government and continuing my fight to create jobs, protect education, reform government, and keep our communities safe.*

*As always, the budget has taken front seat and although our focus is, and should be there, below I have outlined just a few of my recent legislative efforts.*

*Sincerely,*

**Gretchen Whitmer**

**State Senator • 23rd District**

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## **Reform Government To Help Fix Lansing**

**T**ime is long overdue for the Legislature to look to its own House when so many Michigan residents are making sacrifices every day. There are ways to reduce the budget deficit that should be examined. We must be part of the solution by ending lifetime health care benefits for current legislators as well as those elected in the future. We should decrease majority office budgets so both caucuses serve their constituents on the same budget, instead of spending millions on partisan perks. And we should force lawmakers to document how their \$1,000 monthly expense accounts are used, and return what goes unspent.

Reforms are necessary to move Michigan through this difficult time. I have been vocal about the hypocrisy of the Legislature holding themselves to different standards than the people we serve. I will continue to challenge Senate leadership and the Legislature to lead by example to enact common-sense reforms to help fix our broken government.

I introduced a resolution that pushes legislators to make sacrifices and reduce their own pay, end their lifetime benefits and disclose their income and assets to Michigan taxpayers. This resolution is intended to encourage my colleagues to lead by example. Michigan needs real reforms and I propose that we start right here with the Legislature.



## Put People First by Repealing Drug Industry Immunity

Under a 1995 Michigan law – the only one of its kind in the nation – drug companies are exempt from being held accountable in Michigan when their products injure or kill people. No other industry enjoys such sweeping protections, and while the Michigan House of Representatives has twice passed legislation repealing the law, the Senate has repeatedly refused to act on it. Despite Michigan's unfair law, the drug industry has actually slashed jobs in our state, shedding thousands of jobs since this law passed 15 years ago.

In a recent U.S. Supreme Court decision (*Merck v. Reynolds*) dealing with the arthritis drug Vioxx, the Court held that Wall Street investors can sue to recover the money they lost when Merck failed to disclose that they had internal evidence that Vioxx increased the incidence of heart attacks. The irony here is that only

in Michigan is the actual victim, or their surviving family member, prevented from seeking a recovery. So, if you invested in Merck and lost money, you can sue Merck, but if your husband took Vioxx and died, you are out of luck.

I have fought in the Senate repeatedly to repeal Michigan's drug immunity law to give Michigan patients a voice and stop treating them like second-class citizens. Unfortunately, all efforts to act on the proposal have been blocked in the Senate. It is my belief that drug companies need to be held accountable when they sell drugs that injure or kill a loved one and patients deserve elected leaders who will put their safety first, not the profits and bonuses of drug manufacturers.



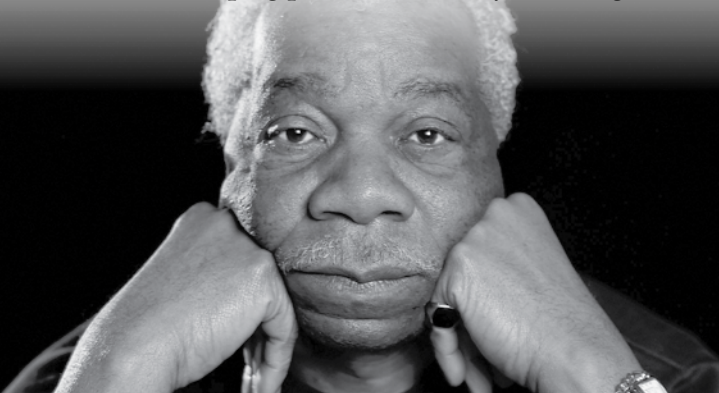
## Increase Penalties to Better Protect Michigan's Elders

Sadly, elder abuse crimes are rapidly increasing as more and more criminals devise schemes to take advantage of the elderly population. We should be doing everything we can to protect our parents, grandparents, friends and neighbors from both physical and financial harm. As criminal activity evolves, so too must our protections for our vulnerable citizens. I recently introduced a package of legislation increasing penalties for abusing or exploiting senior citizens.

The initial components of the package include:

- Making it a felony to obtain a senior's signature through fraud, deceit, misrepresentation or coercion. The penalty is 15 years in prison and a fine of \$15,000 or three times the value of the money or property obtained, whichever is greater.
- Prohibiting someone from receiving any benefits from a victim's estate if they are charged with a related felony count of abuse, neglect or exploitation.
- Adding fraudulently obtaining a signature of any person with the intent to cheat and defraud them to the state's definition of racketeering and strengthening sentencing guidelines accordingly.
- Increasing protections for seniors with variable annuity investments and cracking down on financial scams.

In Michigan, reports of elder abuse to the Michigan Department of Human Services' Adult Protective Services Program have jumped 40% in the last decade, with 16,300 instances of elder abuse reported in 2008. However, a majority of elder abuse incidents go unreported, which places estimates of abuse closer to 73,000, according to the Governor's Task Force on Elder Abuse. This legislation is essential to helping protect the elderly in Michigan.



## Protect Consumers from Excessive Bank Fees

Many Michigan residents are already struggling to make ends meet. On top of the everyday costs of living, many consumers have fallen victim to hidden costs tacked on by banks in the form of overdraft fees. The Center for Responsible Lending found that since 2004, overdraft fees have more than doubled costing consumers \$23.7 billion in 2008 alone. That number is expected to rise to \$26.6 billion for 2009. Michigan's share of overdraft fees is estimated to cost consumers more than \$576 million.

To help protect consumers from these excessive fees, I am working on a "Buyer Beware" plan that would include legislation that would reduce these fees and require more transparency in the banking industry.

The "Buyer Beware" plan would:

- Reduce overdraft fees and prevent banks from charging multiple fees in a 24-hour period when an overdraft occurs. Currently, consumers may not know they have gone over their limit and continue purchasing things, racking up another fee each time.
- End overdraft manipulation by requiring banks to process smaller charges first. Now banks can choose to process the highest amount first, which makes it more likely that there will be insufficient funds, leading to multiple overdraft charges for the other, smaller charges in the system.
- Encourage overdraft fee transparency by requiring banks to disclose and post online how they determine and calculate the amount of overdraft fees.





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# Protecting Children in Michigan

## Cyberbullying and Digital Abuse

The best way to protect kids from digital abuse is to educate them on the dangers associated with this type of behavior, and to make sure that information concerning bullying is made available to adults who can intervene to prevent a tragedy from happening.

To this end, I am introducing a package of bills to protect kids from cyberbullying. The legislation would:

- Require that school districts adopt anti-cyberbullying policies.
- Create education and awareness campaigns regarding the dangers and consequences of cyberbullying.
- Classify cyberbullying as a misdemeanor, punishable by law.
- Create an enforcement structure including fines, community service and court-ordered counseling for extreme repeat offenders.
- Classification of aggravated cyberbullying with heightened consequences for adult cyberbullies who target minors.
- Increased capacity of the School Violence Hotline to allow for anonymous calls regarding cases of cyberbullying.
- Require that law enforcement and school administrators communicate any credible report of cyberbullying to parents/guardians of victims and perpetrators.

As we become more connected, we have lost the few remaining shelters or safe havens for kids who are being bullied or harassed. According to a recent MTV-AP study on digital abuse, half of all young people have been the target of some type of digital abuse. The study also presents evidence that victims of digital abuse are more likely to also engage in high-risk behaviors and contemplate suicide. As technology has moved forward so must the law.

The rationale behind this package of bills is quite simple. Saving one child's life and preventing one family from living through the nightmare of a youngster experiencing bullying and the extreme consequences that can occur is reason enough to make a change in the way we treat issues of digital abuse.

I hope you find this information helpful. I welcome your comments and concerns regarding this information or any other issue before the Michigan Legislature. Please do not hesitate to contact my office at 517.373.1734 or by e-mail at [SenGWhitmer@senate.mi.gov](mailto:SenGWhitmer@senate.mi.gov).

